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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,471	01/09/2002	Kia Silverbrook	AP15US	2556
24011	7590	12/14/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD			PARK, CHAN S	
393 DARLING STREET			ART UNIT	PAPER NUMBER
BALMAIN, NSW 2041			2622	
AUSTRALIA			DATE MAILED: 12/14/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/040,471	SILVERBROOK ET AL.	
	Examiner	Art Unit	
	CHAN S. PARK	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 January 2002.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-14 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 09 January 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/5/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims are objected to because of the following informalities:

Claim 1, line 1, insert -- for storing an image -- after" digital storage means";

Claim 1, line 1, "a stored image" should be -- the stored image --;

Claim 1, line 3, "a modified image" should be -- the modified image --;

Claim 2, line 1, "an image" should be -- the image --;

Claim 3, line 2, "are stored" should be -- is stored --; and

Claim 8, line 2, "including" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Narushima U.S. Patent No. 6,710,892.

2. With respect to claim 1, Narushima discloses a digital photo album (printer system 21 in fig. 5) including digital image storage means (removable medium), means

for modifying a stored image (correction circuit 4 in col. 12, lines 1-16), image display means for electronically displaying a modified image (col. 37, lines 47-57), in-built printer means for printing a modified image (printout process in figs. 16 & 17) and image control means permitting a user to selectively display and print modified images stored by said image storage means (figs. 15-17).

3. With respect to claim 4, Narushima discloses the digital photo album according to claim 1, including a body (21 in fig. 5) connected to said image display means (15), the body housing said printer means (3) and said digital image storage means (10).

4. With respect to claim 5, Narushima discloses the digital photo album according to claim 4, wherein said digital image storage means is removable from said body (10).

5. With respect to claim 6, Narushima discloses the digital photo album according to claim 4, wherein said printer means includes a supply of print media. The supply of print media is an inherent feature in the printer system since it needs a paper to print the edited image using the printer 3.

6. With respect to claim 8, Narushima discloses the digital photo album according to claim 4, wherein the body includes a control panel including means for operating said printer means (col. 15, lines 22-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima as applied to claim 1 above, and further in view of Parulski et al. U.S. Patent No. 6,573,927 (hereinafter Parulski).

7. With respect to claims 2 & 3, Narushima discloses the digital photo album according to claim 1, but it does not disclose expressly that the image is modified in accordance with a pre-programmed set of characteristics wherein said pre-programmed set of characteristic are stored on a removable medium.

Parulski, the same field of endeavor of printing digital images, teaches the method for modifying an image in accordance with a pre-programmed set of characteristics wherein the set is stored on a removable medium, a printer including means for retrieving said set of characteristics from said removable medium (col. 3, line 60 – col. 4, line 8; col. 5, lines 35-49 & col. 6, lines 19-26).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method taught by Parulski into the printing system of Narushima.

The suggestion/motivation for doing so would have been to minimize the amount of user interaction at the time of printing at the printer.

Therefore, it would have been obvious to combine Narushima with Parulski to obtain the invention as specified in claims 2 and 3.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima.

8. With respect to claim 7, Narushima discloses the digital photo album of claim 6, but it does not disclose explicitly that the body includes a releasable cover portion through which a portion of said printer means including said print media and/or an ink cartridge can be removed. However, Examiner takes an Official Notice that having a releasable cover portion for removing or replacing the ink cartridge of the printing system is well known in the art at the time of the invention. Conventionally, the cover is included to replace the empty cartridge with a new one. Since Examiner takes an Official Notice, it would have been obvious to one of ordinary skill in the art at the time of the invention to obtain the invention as specified in claim 7 in view of Narushima.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima as applied to claim 1 above, and further in view of Kulakowski et al. U.S. Patent No. 6,229,621 (hereinafter Kulakowski).

9. With respect to claim 9, Narushima discloses the digital photo album of claim 8, but it does not disclose that when the digital photo album is placed on a horizontal surface the control panel is inclined to the horizontal.

Kulakowski, the same field of endeavor of the printer art, discloses a printer having a control panel for operating the printer wherein when the printer is placed on a horizontal surface the control panel is inclined to the horizontal (fig. 10 & col. 10, lines 37-45).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the inclined control panel of Kulakowski into the printing system of Narushima.

The suggestion/motivation for doing so would have been to provide the user to access the display/control panel from the front view.

Therefore, it would have been obvious to combine Narushima with Kulakowski to obtain the invention as specified in claim 9.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima as applied to claim 1 above, and further in view of Haneda U.S. Patent No. 6,016,184.

10. With respect to claim 10, Narushima discloses the digital photo album of claim 1, but it does not disclose expressly that the size of a displayed image and the size of a printed image printed by said printer means are substantially equal.

Haneda, the same field of endeavor of the digital photo printing art, discloses a digital photo album (filing system of fig. 1) comprising a printer for printing a digital image, a display for displaying the image and a storage for storing the image wherein

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the size of a displayed image and the size of a printed image printed by the printer are substantially equal (col. 12, lines 12-20; lines 27-31; and lines 56-64).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the displaying means of Haneda into the digital photo album of Narushima.

The suggestion/motivation for doing so would have been to provide an accurate size of the digital image to be printed before the printing process.

Therefore, it would have been obvious to combine Narushima with Haneda to obtain the invention as specified in claim 10.

11. With respect to claim 11, Examiner notes that the size of a conventional photo output medium is 6" X 4". Read col. 8, lines 56-65 of Haneda.

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima as applied to claim 1 above, and further in view of Silverbrook WO Publication No. 00/23279.

12. With respect to claim 12, Narushima discloses the digital photo album of claim 1, but it does not disclose expressly that the printer means includes monolithic pagewidth printhead.

Silverbrook, the same field of endeavor of the digital photo printing art, discloses a printer including monolithic pagewidth printhead (page 33).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the monolithic pagewidth printhead of Silverbrook into the digital photo album of Narushima.

The suggestion/motivation for doing so would have been to provide a suitable printhead for the camera photoprinting.

Therefore, it would have been obvious to combine Narushima with Silverbrook to obtain the invention as specified in claim 12.

13. With respect to claim 13, Silverbrook discloses that the printhead is an ink jet printhead (page 34).

14. With respect to claim 14, Silverbrook discloses that the printhead is substantially 4" wide (page 33).

Contact Information

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan S. Park
Examiner
Art Unit 2622

csp
December 6, 2005


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